

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:  
Martha Bell : Case No.18-23089GLT  
Debtor(s) : Chapter 13  
Martha Bell :  
Movant(s) : Related to Document #52  
vs. :  
No Respondent Named :  
Respondent(s) : Hearing Date: 6/5/2019

TRUSTEE'S RESPONSE/OBJECTION TO MOTION TO RECONSIDER  
DISMISSAL OF CASE (MOTION FOR STAY IN BANKRUPTCY PROCEEDINGS)

Ronda J. Winnecour, Chapter 13 Trustee, by her undersigned counsel,  
respectfully represents the following:

1. This case was filed on August 2, 2018
2. Ronda J. Winnecour is the Chapter 13 Standing Trustee in this case.
3. The Debtor is an individual currently incarcerated at an institution unknown to the Trustee.
4. The Debtor's case was dismissed on April 11, 2019. Debtor seeks reconsideration of the dismissal order.
5. The Trustee opposes Debtor's request for relief.
6. The Debtor will be incarcerated for the foreseeable future, as she was sentenced to two (2) consecutive five to ten year sentences. Her incarceration renders the plan not feasible, and makes the real property unnecessary for the estate.
7. The Trustee believes and avers that Debtor's social security payments have ceased due to her incarceration.

8. The Debtor has never made a plan payment. Debtor's inability to manage her own financial affairs, including her assertion that her checking account has been compromised, further supports dismissal of the case.

9. At the time of case filing, Debtor owed \$189,845.12 on a note and mortgage secured by real property worth \$200,000.00. The equity is therefore inconsequential. To the extent there is equity, Debtor has willed the property to the estate of her crime victim, a provision mandated by the terms of her plea agreement. Therefore, the property has no value to the bankruptcy estate.

10. The plan is simply not feasible in this case, as the claims – even exclusive of criminal restitution – are too high and income too little.

WHEREFORE, the Trustee requests that Debtor's Motion be denied.

RONDA J. WINNECOUR,  
CHAPTER 13 TRUSTEE

Date: 05/15/19

by /s/ Jana S. Pail  
Jana S. Pail - PA I.D. #88910  
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CERTIFICATE OF SERVICE

I hereby certify that on the 15<sup>th</sup> of May 2019, I served one true and correct copy of the foregoing document on the following parties in interest by United States first-class mail, postage prepaid, addressed as follows:

Joseph S. Sisca, Esquire  
Assistant U.S. Trustee  
Suite 970, Liberty Center  
1001 Liberty Avenue  
Pittsburgh PA. 15222

Rodney Shepherd, Esquire  
River Park Commons  
2403 Sidney Street Suite 208  
Pittsburgh PA 15203

Martha Bell  
204 Castle Drive  
West Mifflin PA 15122

/s/Dianne DeFoor  
Office of Chapter 13 Trustee  
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